

VIA E-mail and First Class Mail

March 15, 2013

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U.S. Environmental Protection Agency, Region 4
Office of Environmental Accountability
61 Forsyth Street
Atlanta, GA 30303

RE: Steering Committee for Negotiations of Possible Global Settlement Regarding Response Costs for Ward Transformer Superfund Site

Dear Jade:

As you know, in its various notices sent in December 2012, EPA requested that a steering committee be formed by the notice recipients. At the meeting held in Atlanta on January 11, 2013, you requested that a steering committee be identified by today.

A steering committee has been formed for the purpose of negotiating with EPA regarding a possible global settlement of all response costs incurred and to be incurred at the Ward Transformer site, a goal expressed by EPA at the January meeting. So that there is no misunderstanding, while there is interest among the notice recipients and other potentially liable parties in pursuing a mixed funding, global settlement with EPA, as discussed during the meeting in Atlanta, there is little to no interest in negotiating anything less than a global, final settlement with EPA.

To that end, representatives of all three of the removal action parties have agreed to serve on the steering committee. While none of them received EPA's December 2012 notices, we understand EPA contacted them and encouraged their participation in any efforts to achieve a global settlement. The steering committee also includes representation of parties that made a limited commitment in response to the Unilateral Administrative Order EPA issued regarding "OU1."

The steering committee members are:

Name	Contact Information
Daniel M. Darragh	Cohen & Grigsby 625 Liberty Avenue Pittsburgh, PA 15222 ddarragh@cohenlaw.com



Name	Contact Information
	412-297-4718
Christopher G. Smith	Smith Anderson Blount Dorsett Mitchell & Jernigan, LLP Wells Fargo Capitol Center 150 Fayetteville St., Suite 2300 P.O. Box 2611 Raleigh, NC 76602-2611 csmith@smithlaw.com 919-821-1220
Kurt J. Olson	Law Office of Kurt J. Olson, PLLC 3737 Glenwood Ave., Suite 100 Raleigh, NC 27612 kurt.j.olson@gmail.com 919-573-6172
Lee W. Zimmerman	McNair Law Firm, P.A. 1221 Main Street, Suite 1800 Columbia SC 29201 lzimmerman@mcnair.net 803-799-9800
Susan Spurgeon	Pennington, P.A. 2701 N. Rocky Point Dr. Suite 900 Tampa Bay, Fl 33607 susan@penningtonlaw.com 813-639-9599
Bill White	Moore & Van Allen, PLLC 100 N. Tryon Street Floor 47 Charlotte, NC 28202-4003 billwhite@mvalaw.com 704-331-1098
Mary Beth Deemer	Jones Day 500 Grant Street

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Name	Contact Information
	Suite 4500 Pittsburgh, PA 15219-2514 mbdeemer@jonesday.com 412-394-7920

You should feel free to contact the committee members directly going forward.

Enclosed is a list of the parties that have identified themselves thus far as interested in participating, via the steering committee, in any ensuing negotiations with EPA. This list includes some potentially liable parties who did not get any of EPA's notices sent in December, but who are nevertheless interested in a potential, global settlement. There are more parties like that. If a global settlement opportunity materializes through the course of negotiations, we fully expect there will be additional parties who would be interested in participating, particularly since there are a large number of known parties that had transactions with Ward Transformer that did not receive any of the notices EPA sent in December.¹

With kind regards, I am

Yours truly,



Keith H. Johnson

KHJ:kks
Enclosure

¹ We have tried to coordinate the formation of a steering committee among all parties to the private cost recovery suits that received EPA's relevant notices in December. However, the scope of parties that received EPA's notices last December includes quite a number of entities that are not, and never were, parties in those suits. Therefore, you may be hearing from other notice recipients besides those on the enclosed lists about interest in participating in settlement negotiations with EPA.

2013 EPA Settlement Discussion Participants
Re: Ward Transformer Site

PARTY:
Babson College
BASF Corporation
Batesville Casket
BG&E (Constellation Energy)
Broad River Electric Cooperative
Buist Electric
Cape Hatteras Electric Membership Corporation
Carlisle Construction Materials Incorporated, f/k/a Carlisle SynTec Incorporated
Carr & Duff, Inc.
CEMEX Construction Materials Florida, LLC
CHRISTUS Health
City of Dover, DE
Consolidated Coal Company
Carolina Power & Light
DACCO, Incorporated
Delaware Electric Cooperative, Inc.
Dixon Lumber Company
Electric Equipment Corporation of Virginia
Erachem Comilog (f/k/a CheMetals)
Furman University

PARTY:
General Electric
Georgia Pacific LLC (Nekoosa and Ft. Howard)
GKN Driveline, N.A. (GKN Automotive)
Gladieux Trading
Greenwood Mills, Inc.
Frontier Communications
IES Commercial, Inc. (identified by EPA as Integrated Electrical Services)
International Paper
Intertape Ploymer Group
J.C. Blair Memorial Hospital
Jessop Steel, LLC
Lafarge Mid-Atlantic
Magnesita Refractories (JE Baker)
Magnetic Metals
Martin Marietta Materials, Inc.
National Railroad Passenger Corporation, aka AMTRAK
North Carolina State University
Novartis Corporation
Nucor Corporation
Owen Electric Steel Co. of South

PARTY:
Carolina (a/k/a SMI Steel Co.)
PCS Phosphate
Riley Power, Inc.
Royal Street Junk Company
St. Joseph Hospital
Seabrook Enterprises, Inc., a third party defendant
Southern Alloy Corporation
Sonoco Products Company
Tallahassee Memorial Hospital
Timken US LLC / Ingersoll Rand
Town of Blackstone, VA
Tredegar Film Products Corporation
Trinity Industries, Inc.
Unimin Corporation
University of North Carolina – Chapel Hill
Vulcan Materials Company
Wartburg College
Weyerhaeuser
William Peace University
Woodstream Corporation